



Memorandum

TO: CITY COUNCIL

FROM: Vice Mayor Judy Chirco
Councilmember Kansen Chu
Councilmember Sam Liccardo
Councilmember Madison
Nguyen

SUBJECT: PLASTIC BAG ORDINANCE

DATE: December 10, 2010

APPROVED:

Judy Chirco *Madison Nguyen* *S.S.* *12/10/10*
Kansen Chu *PH* *Sam Liccardo*

RECOMMENDATION

Accept staff recommendations with the following modifications:

- 1) Modify section 9.10.2010 Section I to read:

I. "Single-Use Carryout Bag" means a bag other than a Reusable Bag provided at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment. Single-Use Carryout Bags do not include bags provided solely to transport pharmaceuticals, produce, bulk food or meat from a produce, bulk food or meat department within a store to the point of sale or a bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recycled paper bag or reusable bag.

- 2) Direct staff to monitor the retailer compliance with the ordinance and its implementation and return Transportation and Environment Committee with a report within 12 months of ordinance going into effect, with a specific analysis on retailer distribution of reusable bags and the quality of those bags to ensure that the intent of the ordinance is effectuated.

BACKGROUND

During ordinance implementation, staff should closely monitor the free distribution of reusable bags and the quality of those bags. We have seen in other jurisdictions that have "banned the bag" that retailers began distributing 2.25 millimeters thick polyethylene plastic bags to customers for free. These bags are usually perceived as disposable, consequently creating a new "plastic bag."

Staff may recommend at a future point, strengthening the definition of reusable bags to ensure that the ordinance's environmental intent is met and that consumers have access to high quality, durable bags.